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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/749,994	12/28/2000	Oussama Zbib	BELL-0065/00235	6861

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EXAMINER

LE, KAREN L

ART UNIT

PAPER NUMBER

2642

DATE MAILED: 06/19/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/749,994	ZBIB, OUSSAMA
	<b>Examiner</b>	<b>Art Unit</b>
	Karen Le	2642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 28 March 2003.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-19 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-19 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

- 12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ .
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .	6) <input type="checkbox"/> Other: _____ .

**DETAILED ACTION**

1. This action is in response to applicant's response filed on March 28, 2002. Claims 1-19 are now pending in the present application. **This action is made final.**
  
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

***Claim Rejections - 35 USC § 103***

3. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Montgomery et al. (U. S. 5,781,620) in view of Kaplan et al (U. S. 6,144,641) and *or* in view of Farris et al. (U. S. 6,574,216).

*On*

Regarding claims 1, Montgomery teaches routing a call from a calling party to a called party, comprising: receiving an incoming call request from the calling party (Col.5, lines 20-33); determining a carrier based on the incoming call request and routing table comprising a set of routing instructions comprising a plurality of carriers and associated destination prefixes (Col.5, lines 34-63); and routing the call to the called party using the carrier (Col.5, lines 64-66). Montgomery does not teach a subscriber-generated routing table comprising a set of routing instructions comprising a plurality of carriers and associated destination prefixes. However, Kaplan teaches a subscriber-generated routing table comprising a set of routing instructions comprising a plurality of carriers and associated destination prefixes ( Col. 3, lines 10-20 and Col. 5, lines 24-27). Kaplan teaches a method of determining which of plurality of telecommunications paths should

be utilized for transferring a data file with a set of user priorities, and determining which of the paths provides the characteristics desired by the user for transferring the file in accordance with the user's priorities. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a set of user priorities defined by Kaplan as a subscriber-generated routing table to route the call to called party based on a set of user priorities.

In addition Farris teaches a subscriber-generated routing table comprising a set of routing instructions comprising a plurality of carriers and associated destination prefixes (Col. 9, lines 45-65). Farris teaches the user's acceptable level of service may be predefined with a threshold quality level stored in the user's Call Processing record (CPR) in the AIN Integrated Services Control Point (ISCP). If the measured quality of service on the data network is not satisfactory, the routing of the call is changed to communication solely through a voice telephone network connection. CPRs relate to the AIN service or services to which the customer subscribes. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use CPR of Farris as a subscriber-generated routing table to route the call to called party base on call processing records.

Regarding claim 2, Montgomery further teaches receiving the incoming call request comprises receiving a telephone number to be called, and determining the carrier comprises comparing a prefix of the telephone number to the set of routing instructions (Col. 5, lines 34-63 and Col. 7, lines 43-56).

Regarding claim 3, Montgomery further teaches determining if the calling party is a subscriber prior to determining the carrier, and if so, then determining the carrier based

on the incoming call request and the set of routing instructions, and otherwise determining the carrier to be a default carrier (Fig. 2a, step 207 and Fig. 2c, step 240 deny call).

Regarding claim 4, Montgomery further teaches determining the carrier comprises comparing a prefix of the telephone number to be called contained in the incoming call request to the set of routing instructions (Fig 2b, step 245), and if there is a corresponding carrier corresponding to the prefix, then determining the carrier to be the corresponding carrier (Fig 2b, step 251), and otherwise determining the carrier to be a default carrier (Fig. 2b, step 250) (Col. 12, lines 18-32 and 41-63).

Regarding claim 5, Montgomery further receiving the incoming call request from the calling party comprises receiving the incoming call request at a central office (Fig. 2a, step 200 and 201).

Regarding claim 6, Montgomery further teaches comprising identifying the carrier to the calling party after determining the carrier (Col. 5, lines 64-66).

Regarding claims 7, Montgomery does not teach receiving the subscriber-generated routing table from the calling party prior to receiving the incoming call request from the calling party. However, Kaplan teaches receiving the subscriber-generated routing table from the calling party prior to receiving the incoming call request from the calling party (Col. 3, lines 18-20)

Regarding claims 8, Montgomery does not teach receiving the subscriber-generated routing table comprises receiving a plurality of carriers with associated destination prefixes via web-based tools. However, Kaplan teaches receiving the subscriber-generated routing table comprises receiving a plurality of carriers with

associated destination prefixes via web-based tools (Col. 6, lines 43-47).

Regarding claim 9, Montgomery further receiving the set of routing instructions comprises receiving at least one of associated times of day and associated days of week (Col. 10, lines 8-13 and 51-57).

Regarding claims 10 and 18, Montgomery further teaches a system for routing a call from a calling party (Fig. 1, item 100) to a called party (Fig. 1, item 106) using a carrier within a telecommunications network, comprising: a central office (Fig. 1, item 104) for receiving an incoming call request comprising a destination prefix from the calling party ; a storage device for storing comprising a set of routing instructions comprising a plurality of carriers and associated destination prefixes (Fig. 1, item Pop1-popn); and a controller for determining the carrier based on the destination prefix and the set of routing instructions, and for routing the call to the called party using the carrier (Fig. 1, item 126). a routing table for use in determining a carrier to be used in routing a call from a calling party to a called party comprising a plurality of carriers and associated destination prefixes, days of week, and times of day (Col. 10, lines 7-13 and 51-57).

Montgomery does not teach a subscriber-generated routing table. However, Kaplan teaches a subscriber-generated routing table (Col. 3, lines 10-20 and Col. 5, lines 24-27). Kaplan teaches a method of determining which of plurality of telecommunications paths should be utilized for transferring a data file with a set of user priorities, and determining which of the paths provides the characteristics desired by the user for transferring the file in accordance with the user's priorities. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a set of user priorities defined by Kaplan as a subscriber-generated routing table to route

the call to called party based on a set of user priorities.

Regarding claims 11 and 19, Montgomery does not teach web-based tools for allowing subscriber generation of the routing table. However, Kaplan teaches web-based tools for allowing subscriber generation of the routing table (Col. 6, lines 43-47).

Regarding claim 12, Montgomery further teaches a set of routing instruction comprises at least one of associated times of day and associated days of week (Col. 10, lines 7-13 and 51-57).

Regarding claims 13 and 14, Montgomery further teaches comprising a device for identifying to the calling party the determined carrier and the device is a service node (Col. 7, lines 26-35).

Regarding claim 15, Montgomery further teaches the controller determines if the calling party is a subscriber prior to determining the carrier based on the destination prefix and the set of routing instructions (Col. 9, lines 54-64)..

Regarding claims 16 and 17, Montgomery further teaches the controller determines the carrier based on the destination prefix and the set of routing instructions if the calling party is a subscriber, and otherwise determines the carrier to be a default carrier. The controller compares the destination prefix of the incoming call request to the set of routing instructions, and if there is a corresponding carrier corresponding to the prefix, determining the carrier to be the corresponding carrier, and otherwise determining the carrier to be a default carrier (Col. 8, lines 43-45 and Col. 12, lines 41-63 and Col. 7, lines 43-56).

***Response to Arguments***

4. Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

Hand-delivered responses should be brought to

Crystal Park II, Sixth Floor (Receptionist)

2121 Crystal Drive

Arlington, VA 22202

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen Le whose telephone number is 703-308-4998. The examiner can normally be reached on Monday - Friday from 8:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4750.

KLL  
Karen Le

June 9, 2003

  
AHMAD F. MATAR  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2700